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Project Name: BERRYESSA PUMP STATION

CITY COUNCIL APPROVAL

Project No: 8138

DATE: October 18, 2005

AMENDMENT No 1 TO AGREEMENT FOR CONSULTATION AND OTHER SERVICES

This Amendment is entered into this 18th day of October 2005, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and Olivia Chen Consultants. (hereafter referred to as "CONSULTANT").

RECITALS

WHEREAS, the parties entered into an Agreement for professional services on September 7, 2004 for The Berryessa Pump Station Improvement Project.

WHEREAS, the parties desire to amend the Agreement to allow the CONSULTANT to provide additional professional services necessary to complete the project.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. The first sentence in Section 1.1, entitled "Term of Services" is amended to read:

The term of this Agreement shall begin on the date first noted above and shall end on December 31, 2006

2. Section 1, entitled "Services" is amended by adding Exhibit "AM-A1", entitled "Scope of repackage", which are attached hereto and incorporated by reference herein.
3. Section 2, entitled "Compensation" is amended to add Exhibit "AM-B1", entitled "Fee compensation for the repackage", which is attached hereto and incorporated by reference herein. Section 2, is further amended by adding the following to the end of the Section:

The additional compensation for the repackage, set forth in Exhibit "AM-B1" is a "Lump sum" task amounts. The total maximum amount of compensation based on this task "Repackage" shall be \$51,000.00.

4. All other provisions of the Agreement shall remain in full force and effect.

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This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

Olivia Chen Consultants

Greg Armendariz, City Engineer as to content

Olivia L. Chen, Principal

Charles Lawson, City Manager

City Attorney as to Form

MILPITAS REDEVELOPMENT AGENCY

Charles Lawson, Executive Director

ATTESTED BY:

Mary Lavelle, City Clerk

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EXHIBIT AM-A1 “Scope of repackage”

Task 1. Evaluation of Additional Improvement Options

- 1.1 Evaluate additional main and jockey pump improvement alternatives
- 1.2 Relocation of mechanical equipment
- 1.3 Changes to pond aerator controls
- 1.4 Changes to fuel piping system
- 1.5 Patching and sealing of pump station floor
- 1.6 Replacement of handrails
- 1.7 Preparation of Pre-Purchase Package
- 1.8 New cathodic protection system

Task 2. Redesign of Jockey Pump

- 2.1 Preliminary (30%) Design: OCC will develop a preliminary design for the jockey pump that will allow initial operation at 3,000 gpm against a total head of 25 feet and future operation at 5,000 gpm against a total head of 38 feet. The electric motor driving the pump will be designed to allow two settings, rather than the previously considered variable speed drive. The following subtasks are anticipated to complete this work:
 - 2.1.a Development of conceptual design;
 - 2.1.b Review of conceptual level electrical/control requirements;
 - 2.1.c Preparation of brief email summarizing equipment selection and including schematic layouts of pump, motor, supports, and electrical/ control panel(s);
- 2.2 Sixty Percent (60%) Design: Based on design reviewed and approved by the City, OCC will develop plan and section drawings, electrical single line diagrams, and controls logic. The following subtasks are anticipated to complete this work:
 - 2.2.a Preparation of new pump/motor layout and section;
 - 2.2.b Preparation of electrical/controls drawing(s);
 - 2.2.c Development of preliminary specifications for new equipment;

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- 2.2.d Submittal of 60% drawings and preliminary specifications for new equipment to City;
- 2.2.e Review meeting with the City to discuss 60% design.
- 2.3 Ninety-five Percent (95%) Design: OCC will incorporate City comments into the project's drawings and specifications and develop installation details. The following subtasks are anticipated to complete this work:
 - 2.3.a Preparation of written response to City comments on 60% design;
 - 2.3.b Incorporation of drawings and new equipment specifications into project in accordance with City comments;
 - 2.3.c Development of installation details;
 - 2.3.d Submittal of 95% drawings and specifications to City;
 - 2.3.e Review meeting with the City to discuss 95% design; approved design incorporating City comments will be merged into 100% design drawings and specifications package under Task 3.

Task 3. Design of Secondary Containment and Leak Detection System for Fuel Pipes

- 3.1 Preliminary (30%) Design: OCC will develop a preliminary design for the secondary containment and leak detection system for fuel pipes between the diesel engines and the day tank. The fuel piping from the day tank to the fuel storage tank is not included in this work, nor is the piping from the secondary containment to the fuel storage tank. The following subtasks are anticipated to complete this work:
 - 3.1.a Development of conceptual design;
 - 3.1.b Review of electrical/control requirements;
 - 3.1.c Conference call with the City to discuss preliminary design.
- 3.2 Sixty Percent (60%) Design: Based on design reviewed and approved by the City, OCC will develop plan and section drawings, electrical single line diagrams, and controls logic. The following subtasks are anticipated to complete this work:
 - 3.2.a Preparation of piping and leak detection system layout and section;
 - 3.2.b Preparation of electrical/controls drawing(s);
 - 3.2.c Development of preliminary specifications for new equipment;
 - 3.2.d Submittal of 60% drawings and specifications to City;

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- 3.2.e Conference call with the City to discuss 60% design.
- 3.3 Ninety-five Percent (95%) Design: OCC will incorporate City comments into drawings and specifications and develop installation details. The following subtasks are anticipated to complete this work:
 - 3.3.a Preparation of written response to City comments on 60% design;
 - 3.3.b Revision of drawings and specifications in accordance with City comments;
 - 3.3.c Development of installation details;
 - 3.3.d Submittal of 95% drawings and new equipment specifications to City;
 - 3.3.e Review meeting with the City to discuss 95% design;
 - 3.3.f Preparation of written response to City comments on 95% design; approved design incorporating City comments will be merged into 100% design drawings and specifications package under Task 3.

Task 4. Revisions to 100% Design Packages

- 4.1 Pre-Purchase Package Revisions: The City has indicated that it intends to pre-purchase the primary mechanical equipment and prepare separate bid documents for the construction and installation work. OCC will revise the previous Pre-Purchase Package by completing the following subtasks:
 - 4.1.a Revision of Figures 1 and 2;
 - 4.1.b Revision of Bid Sheet;
 - 4.1.c Revision of Notice Inviting to Bids;
 - 4.1.d Revision of Section E-26 of the Technical Provisions
 - Revise "Equipment" section to make pump, engine, and right angle drive supports the responsibility of equipment supplier;
 - Revise "Equipment" section to remove variable speed drives;
 - Revise "Quality Assurance" section to update Acceptance Testing requirements.
 - 4.1.e Revision of Section E-27 of the Technical Provisions
 - Revise "Equipment" section to make pump/motor supports the responsibility of equipment supplier;
 - Revise "Equipment" section to change pump and motor specifications, include initial and future pump operation;

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- Revise "Quality Assurance" section to update Acceptance Testing requirements.
- 4.1.f Submittal of revised Figures and specifications to City, in draft form;
- 4.1.g Incorporation of City comments to Figures and specifications;
- 4.1.h Submittal of final pre-purchase package (Figures 1 and 2, Bid Sheet, Notice Inviting to Bids, Sections E026 and E-27) in electronic format (PDF, DWG, DOC files).
- 4.2 Construction/Installation Package Revisions: OCC will revise 100% drawings and specifications by completing the following subtasks:
 - 4.2.a Revision of contract drawings
 - C2 (Site Demolition Plan): Revise fuel leak detection notes;
 - C4 (Site Improvements Plan): Revise fuel system, equipment supports notes; incorporate new jockey pump design;
 - C5 (Site Improvement Sections): Revise pump and engine supports notes; incorporate jockey pump section;
 - New Sheet: Fuel piping secondary containment, leak detection plan, profile, details;
 - Electrical drawings: incorporate new jockey pump, leak detection system details.
 - As-needed to provide clarity
 - 4.2.b Revision of Specifications
 - Notice Inviting Bids: Revise demolition and improvement tasks, meeting and submittal dates;
 - Technical Provisions: Revise demolition section; revise pump installation details to make consistent with Pre-Purchase Package wording; add fuel leak detection system and double containment.
 - 4.2.c Submittal of draft construction/installation package (drawings, specifications) in electronic format (PDF, DWG, DOC files).
 - 4.2.d Incorporation of City comments to drawings and specifications
 - 4.2.e Submittal of final construction/installation package (drawings, specifications) in electronic format (PDF, DWG, DOC files).

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Task 5. Additional Bid Support

- 5.1 Attend pre-bid meeting for pre-purchase contract
- 5.2 Answer contractor questions on pre-purchase package
- 5.3 Answer contractor questions on construction/installation package

Task 6. Additional Construction Support

OCC will provide additional construction services associated with the equipment designed under Tasks 2 and 3.

- 6.1 Field visits
- 6.2 Response to queries
- 6.3 Record Drawings
- 6.4 O&M Manuals

Task 7. As-Needed Consulting Services

OCC will provide additional consulting services as required. These services shall be provided as-needed on a time and materials basis. Miscellaneous services may include additional meetings, evaluation of additional alternatives, or changes to drawings and specifications not included in above tasks.

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EXHIBIT AM-B1 “Fee compensation for the repackage”

Task 1		
Evaluation of Additional Improvement Options		\$12,360.00
Task 2		
Jockey Pump Redesign		\$10,393.00
Task 3		
Fuel and Leak Detection System		\$ 7,068.00
Task 4		
Revise Contract Documents		\$10,780.00
Task 5		
Additional Bid Support		\$ 2,070.00
Task 6		
Additional Construction Support		\$ 2,820.00
Task 7		
Additional Services Allowance		\$ 5,509.00
Total		\$51,000.00

ADDITIONAL SERVICES ALLOWANCE: requires advance approval by the City in writing and activities will be charged on a Time and Materials bases with no markups.